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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,368	01/16/2002	Mark E. Kovack	JWM 2 0149	5740
7590	02/09/2005			
FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP Seventh Floor 1100 Superior Avenue Cleveland, OH 44114-2518			EXAMINER	ORTIZ, BELIX M
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/050,368	KOVACK, MARK E.
	Examiner	Art Unit
	Belix M. Ortiz	2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10-28-2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3, 10-17, 19 and 20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3, 10-17, 19 and 20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**SAM RIMELL**  
PRIMARY EXAMINER

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

**Remarks**

1. In response to communications files on 28-October-2004, claims 4-9 and 18 are cancelled; the specification of the disclosure, and claims 1, 10-11, 13, 17, and 19 are amended per applicant's request. Therefore, claims 1-3, 10-17 and 19-20 are presently pending in the application.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-3 and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan, (U.S. patent 5,761,662) in view of Rowe et al. (U.S. Patent 5,860,074).

As to claim 1, Dasan teaches a method for generating an interactive enhanced electronic newspaper file that corresponds to a particular hardcopy newspaper (see column 1, lines 13-15 and column 1, lines 53-59), the method comprising:

- a) receiving input data in a select input data format that represents a current page of a corresponding hardcopy newspaper, the current page having a predefined page type selected from one of a plurality of different page types (see figure 3 character "324" and column 8, lines 4-11);
- b) parsing the input data to extract therefrom page information data that represent a general layout of the current page of the corresponding hardcopy newspaper (see column 2, lines 14-18 and column 8, lines 15-19), the parsing step comprising extracting more than two of: (i) text data (see column 6, lines 61-62 and column 7, lines 61-65); (ii) text position data (see column 9, lines 34-35); (iii) font information data; (iv) image position and size data (see column 5, lines 11-14); and, (v) bitmap data that define a bitmap of the current page of the corresponding hardcopy newspaper;
- c) storing the page information data extracted from the input data in a current page information database (see column 2, lines 24-28; column 2, lines 42-45; and column 6, lines 1-4);
- d) selecting one of a plurality of different predefined page information databases that correspond respectively to the plurality of different page types based upon the predefined page type of the current page (see column 2, lines 24-28 and column 6, lines 11-18);
- e) deriving a preprocess file for the current page using data from the current page information database and data from the select one of the plurality of different predefined page type information databases selected in step (d), the preprocess file defining a preprocess layout that corresponds to the general layout of the current page of the

corresponding hardcopy newspaper and defining at least select portions of the preprocess layout to be links that are active and selectable by an end user (see figure 3, character “324”; column 2, lines 42-45; column 4, lines 8-13; column 5, lines 8-11; and column 8, lines 4-19), said step of deriving a preprocess file (see figure 3, character “324”; column 2, lines 42-45; column 5, lines 8-11; and column 8, lines 4-19) comprising processing said extracted page information data stored in said current page information database to locate presence and location of selected page definition information on said current page of said corresponding hardcopy newspaper (see column 2, lines 14-18 and column 8, lines 15-19) including more than two of:

- (i) “refer text” that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see column 8, lines 15-21);
- (ii) “headline text” that introduces a story (see column 1, lines 42-45);
- (iii) “URL text” that defines a URL for a web site (see column 6, lines 23-25);
- (iv) “e-mail address text” that defines an e-mail address (see column 6, lines 32-35);
- (v) “word location data” that define a location for each word of text on the current page of the corresponding hardcopy newspaper (see figure 8);
- (vi) “character location data” that define a location for each constituent character of each of the words of text on the current page of the corresponding hardcopy newspaper (see figure 7 and figure 8);
- f) inputting the preprocess file and the input data that represents the current page of the corresponding hardcopy newspaper into an interpreter that generates a current page

output data file that defines the current page of the corresponding hardcopy newspaper according to the preprocess layout and in terms of a select output data format different from the input data format, the current page output data file including output data that are associated with the links so as to be active and selectable by an end user on a computer display terminal when the current page output data file is displayed to an end user on a computer display terminal to link the current page output data file (see column 6, lines 20-35) to one of: (i) another output data file (see figure 3; column 5, lines 8-11; column 8, lines 4-11; and column 8, lines 15-21); (ii) a supplemental data file (see figure 3; column 4, lines 58-67; column 5, lines 1-3); and, (iii) an auxiliary process (see figure 2);

g) storing the current page output data file (see figure 3); and,

h) repeating steps a) through g) for all pages of the hardcopy newspaper to generate and store a plurality of current page output data files corresponding respectively to a plurality of pages of the hardcopy newspaper (see figure 3; figure 7; and figure 9, it is obvious to repeat all the steps until all the pages are stored on the data files).

Dasan does not teach (vii) “headline font data” that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper; and,

(viii) “refer fort data” that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper.

Rowe et al. teaches a method and apparatus for displaying an electronic document with text over object (see abstract) in which he teaches (vii) “headline font data” that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper (see column 40, lines 7-14); and,

(viii) “refer fort data” that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see column 3, lines 56-61 and column 4, lines 55-57).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan, to include (vii) “headline font data” that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper; and,

(viii) “refer fort data” that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan by the teaching of Rowe et al., because (vii) “headline font data” that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper; and,

(viii) “refer fort data” that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper, would enable the method because it will be easier to the user identify or localizes the headline that he/she is looking for and “obtaining the desired font for use on the computer with the display device, and redrawing with the desired font the area of display in which the substitute font had been used initially. In another aspect, the method includes reading font description metrics for the desired font and using them to create a substitute font” (see column 5, lines 41-54).

As to claim 2, Dasan as modified teaches the method further comprising, after step h): combining the plurality of different current page output data files into a single combined data output file (see Dasan, figure 4, character “400”; figure 7; and figure 9).

As to claim 3, Dasan as modified teaches the method further comprising: storing the single combined data output file on one of a CD-ROM and a computer server for access by end-users (see Dasan, column 4, lines 58-67 and column 5 lines 1-3).

As to claim 10, Dasan as modified teaches wherein the links defined by the preprocess file comprise links associated with at least the refer text, the URL text and the e-mail address text (see Dasan, figure 2, figure 4 and figure 11).

As to claim 11, Dasan as modified teaches the method further comprising: using the headline font data to derive story location data that define locations of stories on the current page of the corresponding hardcopy newspaper (see Rowe et al., column 40, lines 7-14).

As to claim 12, Dasan as modified teaches wherein the step of deriving story location data comprises:

- identifying a font that indicates a story headline (see Rowe et al., figure 13a);
- identifying a font used for story text (see Rowe et al., figure 13a); and,

identifying a change of font between the story text and a subsequent headline (see Rowe et al., column 33, lines 29-36).

As to claim 13, Dasan as modified teaches wherein the select input data format is Adobe PostScript, the select output data format is Adobe portable document format (PDF) and the preprocess file is a PDFmark file (see Rowe et al., column 1, lines 55-66).

As to claim 14, Dasan as modified teaches wherein the step f) inputting the preprocess file and the input data into an interpreter comprises inputting the preprocess file and the input data into an Adobe Acrobat Distiller interpreter program (see Rowe et al., column 1, lines 55-61).

As to claim 15, Dasan as modified teaches wherein:  
the refer text links the current page output data file to another output data file to be displayed to an end user (see Dasan, figure 3 and column 8, lines 15-21);  
the URL text links the current page output data file to a web browser (see Dasan, figure 2 and column 6, lines 23-25); and,  
the e-mail address text links the current page output data file to an e-mail program (see Dasan, figure 4; figure 11; and column 6, lines 32-35).

As to claim 16, Dasan as modified teaches the method further comprising:  
storing supplemental image data that relate to image data that define an image of  
the current page output data, wherein the links defined by the preprocess file further  
comprise a link that is associated with the image of the current page output data, whereby  
the supplemental image data are displayed to an end user when the end user selects the  
image of the current page output data file (see Rowe et al., column 33, lines 42-52).

As to claim 17, Dasan as modified teaches wherein the select page definition data  
identified and located by the step of processing the extracted page information data  
comprises at least one advertisement, and wherein the links defined by the preprocess file  
comprise a link to the advertisement, the method further comprising associating a URL  
with the at least one advertisement whereby an end user navigates to the IJRL that is  
associated with the advertisement when the advertisement is selected (see Dasan, figure  
11 and column 6, lines 20-30).

4. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan (U.S. patent 5,761,662) in view of Rowe et al. (U.S. Patent 5,860,074) as applied on claims 1-3 and 10-17 above, and further in view of Kubota et al. (U.S. patent 5,754,172).

As to claim 19, Dasan as modified does not teach wherein the supplemental data  
file comprises at least one of a digital image data file and an audio data file that relates to  
information represented by the output data file.

Kubota et al. teaches a system and method for data publication through web pages (see abstract), in which he teaches wherein the supplemental data file comprises at least one of a digital image data file and an audio data file that relates to information represented by the output data file (see column 5, lines 18-24).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan, as modified to include wherein the supplemental data file comprises at least one of a digital image data file and an audio data file that relates to information represented by the output data file.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan as modified by the teaching of Kubota et al., because wherein the supplemental data file comprises at least one of a digital image data file and an audio data file that relates to information represented by the output data file, would enable the method to include all actions necessary to render at least a portion of the information on the web page available to the computer user. As such, the phrase includes, but is not limited to, the static visual display of static graphical information, the audible production of audio information, the visual display of animation and the visual display of video stream data, make the use of the electronic newspaper easier to the user.

As to claim 20, Dasan as modified teaches wherein the auxiliary process comprises one of a web-browser and an electronic mail program (see Dasan, figure 2 and figure 6).

***Response to Arguments***

5. Applicant's arguments filed 28- October- 2004 with respect to the rejected claims in view of the cited references have been fully considered but they are not found persuasive:

In response to applicants' arguments that "Dasan document includes no disclosure or fail suggestion for receiving data corresponding to an actual hardcopy newspaper, processing same to identify more than two of...", the arguments have been fully considered but are not deemed persuasive, because Dasan teaches "(i) refer text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see Dasan, column 8, lines 15-21);

- (ii) headline text that introduces a story (see Dasan, column 1, lines 42-45);
- (iii) URL text that defines a URL for a web site (see Dasan, column 6, lines 23-25);
- (iv) e-mail address text that defines an e-mail address (see Dasan, column 6, lines 32-35);
- (v) word location data that define a location for each word of text on the current page of the corresponding hardcopy newspaper (see Dasan, figure 8);
- (vi) character location data that define a location for each constituent character of each of the words of text on the current page of the corresponding hardcopy newspaper (see Dasan, figure 7 and figure 8);
- (vii) headline font data that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper (see Rowe et al., column 40, lines 7-14); and,
- (viii) refer fort data that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see Rowe et al., column 3,

lines 56-61 and column 4, lines 55-57) and also (see Dasan, figure 3, character “324”; column 2, lines 42-45; column 4, lines 8-13; column 5, lines 8-11; and column 8, lines 4-19).

In response to applicants’ arguments that “Dasan does not teach or suggest “repeat steps a) through g) for all pages of the hardcopy newspaper to generate and store a plurality of current page output data files corresponding respectively to a plurality of pages of the hardcopy newspaper”, the arguments have been fully considered but are not deemed persuasive, because it is obvious to repeat all the steps until all the pages are store on the data files and get all the pages.

In response to applicants’ arguments that “Rowe et al. does not relate to processing an input data stream of a hardcopy newspaper to extract data required to define an enhanced version of the hardcopy newspaper as defined in claim 1”, the arguments have been fully considered but are not deemed persuasive, because Rowe et al. teaches “Other hint tables provide information for document elements that relate to the document as a whole. For example, the bookmark hint table allows the client to find bookmarks; and the thread hint table allows the client to find all the beads in thread of beads that defines an article. As in a newspaper, where an article may extend across several pages, and "article" here is a list of "beads", where each bead is a rectangle on a particular page, in which rectangle a portion of the article's text or illustrations may be found. With the thread hint table, the client (viewer) may request all of the objects required to display the entire article in one transaction”, (see Rowe et al., column 37, lines 27-37).

In response to applicants' arguments that “Kubota et al. is also unrelated to the method defined in claim 1”, the arguments have been fully considered but are not deemed persuasive, because Kubota et al. teaches “The invention relates to an information display method suitable for use in case of electronically transmitting, for example, data of a published document such as newspaper, magazine, book, or the like, data of an advertisement, or the like”, (see Kubota et al., column 1, lines 6-10).

*Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



SAM RIMELL  
PRIMARY EXAMINER

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on moday-friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

bmo

January 12, 2005